

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Rein TAMMIK
Serial No. : 10/507,247 (Publication No. 2005-0244350 A1)
Filing Date : 7 February 2005
For : COMPOSITION INCLUDING A PIGMENT ASSEMBLY
COMPRISING A MICA CORE
Examiner : Melissa S. MERCIER
Art Unit : 1615

745 Fifth Avenue, New York, NY 10151

**EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. 1.116**

**PETITION TO WITHDRAW NOTICE OF APPEAL OF 10 MARCH 2008
UNDER 37 CFR 1.34 WITH PETITION FOR EXTENSION OF TIME**

Mail Stop: Petition (Group Director 1610 – George Elliot)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The appellants request **withdrawal of the Notice of Appeal filed on 10 March 2008**. The reason for the withdrawal is that the Notice of Appeal was intended to be filed simultaneously with a Request for Pre-Appeal Brief Review, but the form for the review was erroneously omitted. As the final rejection was mailed on 10 January 2008, with the payment of a 2-month extension of time, the applicants are still within the period for response to the final rejection. The applicants will re-file the Notice of Appeal with a proper Request for Pre-Appeal Brief Review. *See also MPEP 1215.01*.

The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Account No. 50-0320.

PETITION FOR EXTENSION OF TIME

Pursuant to the provisions of 37 C.F.R. §1.136(a)(1), applicants hereby petition for an extension of time of two (2) months in responding to the Office Action of 10 January 2008. Granting of Applicants' request would serve to extend Applicants' due date from 10 April 2008 to 10 June 2008

The amount of \$230 to satisfy the fee for a two (2) month extension of time will be paid electronically. The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Account No. 50-0320.

CONCLUSION

In view of the remarks and amendments herewith, the application is believed to be in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are earnestly solicited. The undersigned looks forward to hearing favorably from the Examiner at an early date, and, the Examiner is invited to telephonically contact the undersigned to advance prosecution.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

Howard C. Lee

Ronald R. Santucci	Howard C. Lee
Reg. No. 28,988	Reg. No. 48,104
Telephone:	(212) 588-0800
Facsimile:	(212) 588-0500